

BEFORE THE BOARD OF ZONING ADJUSTMENT, D.C.

Application No. 12281 of Elizabeth M. Goodman and Leo Goodman, pursuant to Sub-section 8207.11 of the Zoning Regulations, for a variance from the side yard requirements (Sub-section 3305.1 and 7107.22) to permit the construction of a rear addition to a dwelling which is a non-conforming structure in the R-1-B district at the premises 2948 Macomb Street, N.W. (Lot 17, Square 2084).

HEARING DATE: January 19, 1977

DECISION DATE: January 19, 1977

FINDINGS OF FACT:

1. The property is located in a R-1-B district which requires eight (8) foot side yards.
2. The dwelling, built in approximately 1920, is six feet on one side and three and one-half feet on the other side from the property lines.
3. Applicants propose to reconstruct and extend the existing porch and bathroom area six feet to the rear of the dwelling, continuing the existing side dimensions rearward.
4. Requiring compliance with the eight (8) foot side yard requirement would result in increased construction costs and would vary from the lines of the existing dwelling.
5. There is a ravine to the rear of the property.
6. The property owners on either side of the property have formally stated they have no objection to the granting of a variance.

CONCLUSIONS OF LAW AND OPINION

The Board concludes that the requested variance is an area variance requiring a showing of practical difficulty. The Board concludes that the shape of the property does create such a difficulty and that requiring strict compliance with the side yard requirements would operate as a hardship

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upon the owners of the property. The Board concludes that the granting of this variance would not have an adverse impact upon the neighborhood. It is therefore ORDERED that the application be GRANTED.

VOTE: 4-0 (Lilla Burt Cummings, Esq., Richard Stanton,
Leonard L. McCants, Esq., and William McIntosh)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: Arthur B. Hatton
ARTHUR B. HATTON
Executive Secretary

FINAL DATE OF ORDER: 3-21-77

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.